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Mail Stop Appeal Brief - Patents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

By:

Aurora Lowell

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Philip T. Mellinger, *et al.*

Application No.: 10/091,001

Filed: March 4, 2002

For: CREDIT CARD TRANSACTION
TRACKING SYSTEMS AND
METHODS

Examiner: Frantzy Poinvil

Technology Center/Art Unit: 3628

APPELLANT BRIEF UNDER 37 CFR
§1.192

Mail Stop Appeal Brief - Patents

Commissioner for Patents

P.O. Box 1450

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Sir:

Appellants offers this Brief further to the Notice of Appeal mailed on ~~June 23,~~
~~2003~~ July 7, 2003. This Brief is submitted in triplicate as required by 37 CFR §1.192(a).

1. Real Party in Interest

The real party in interest is First Data Corporation.

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2. Related Appeals and Interferences

No other appeals or interferences are known that will directly affect, are directly affected by, or have a bearing on the Board decision in this appeal.

3. Status of Claims

Claims 1-47 are currently pending in the application. All pending claims stand finally rejected pursuant to an Office Action mailed April 7, 2003 (paper no. 10, hereinafter “the Final Office Action”). Original Claims 1-5, 9-11, 22-24, and 40-42 were amended by an Amendment filed January 21, 2003. Claims 1, 13, 28, 31, 45, and 47 were amended by a Supplemental Amendment dated February 19, 2003 following an interview with the Examiner. No claims have been added or canceled.

The rejections of pending Claims 1-47 are believed to be improper and are the subject of this appeal. Each of these claims has been finally rejected. A copy of the claims as rejected is attached as an Appendix¹.

4. Status of Amendments

An After-Final Amendment was filed on June 6, 2003, in which Appellants amended claims 1, 31, 38, 39, 45, and 46. These amendments were not entered.

5. Summary of the Invention

In one embodiment, the invention relates to systems and methods for monitoring transactions records for target account identifiers of suspect accounts (Application, p. 2, ll. 5-13). Presentation instruments, such as credit cards, may be used for illegal or harmful purposes. It has become increasingly useful to monitor financial transactions involving presentation instruments to quickly identify when a presentation instrument relating to a suspect account is used (*id.*, p. 1, ll. 21-24). To this end, target account identifiers of suspect accounts are

¹ For purposes of this appeal, the status of the claims is taken from the “Version With Markings to Show Changes Made” section of the Supplemental Amendment filed on February 19, 2003.

periodically received at a computing system. These account identifiers are compared to account identifiers in transaction records that are also received at the computer system. Upon the occurrence of a match, an alert is transmitted to a recipient (*id.*, p. 2 ll. 5-13). In some embodiments, a list of target account identifiers relating to suspect accounts is received from a government agency (*id.*, p. 3, l. 5).

It is common for presentation instrument accounts to be monitored generally. For example, when a merchant seeks to pre-approve a credit card purchase, a system is consulted to determine if the account relating to the card has been cancelled, the account is over its limit, the card has been reported lost or stolen, and/or the like. If so, the transaction may be denied. The prior art, however, does not provide for monitoring transaction records for accounts specifically identified as “suspect” and provided as a list of “target account identifiers.”

Embodiments of the present invention overcome the limitations of the prior art by providing the ability to compare account identifiers in transaction records to *target* account identifiers relating to *suspect* accounts (*id.*, p. 6, ll.14-22). This enables, for example, a government agency to request a credit card processor to look for target account identifiers and to request that the credit card processor alert the agency when one is used (*id.*). Further, in some embodiments, alerts are transmitted very close in time to when a card is used, possibly enabling an agency to locate the card user (*id.*).

In further embodiments, the present invention recognizes the distributed nature of credit card processing. In such embodiments, lists of target account identifiers are received at a processing server and thereafter distributed to platform servers where the target account identifiers are compared to transaction records. Related embodiments provide methods by which the lists are transmitted between the processing server and platform servers (*id.*, p. 3, ll.5-18).

6. Issue

Whether under 35 U.S.C. §103(a) Claims 1-47 are unpatentable over U.S. Pat. No. 5,903,830 (“Joao”). Section 2 of the Final Office Action describes the Examiner’s position on the issue.

7. Grouping of the Claims

The Appellants submit that the claims do not stand or fall together for the reasons set forth in the Argument section. For purposes of this appeal, the claims are grouped as follows:

- Group I: Claims 1, 3, and 7-12 stand or fall together.
- Group II: Dependent claim 2 stands alone.
- Group III: Dependent claim 4 stands alone.
- Group IV: Claims 5 and 6 stand or fall together.
- Group V: Claims 13, 19-26, 28, 30, 31, and 37-47 stand or fall together.
- Group VI: Claims 14 and 32 stand or fall together.
- Group VII: Claims 15 and 33 stand or fall together.
- Group VIII: Claims 16 and 34 stand or fall together.
- Group IX: Claims 17, 29, and 35 stand or fall together.
- Group X: Claims 18 and 36 stand or fall together.
- Group XI: Dependent claim 27 stands alone.

Although certain claims are grouped above to stand or fall together, the Appellants reserve the right outside the context of this appeal to argue independent patentability of any grouped claims.

8. Argument

Group 1 – Obviousness rejection of claims 1, 3, and 7-12

Claims 1, 3, and 7-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Joao. The Appellants believe a *prima facie* case of obviousness has not been properly set forth in the Final Office Action with regard to the rejection of these claims. The Examiner is charged with putting forth a *prima facie* showing of obviousness. The basic test is excerpted below:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or

references when combined) must teach or suggest all the claim limitations.

(See MPEP, Eighth Edition, First Revision, February, 2003 (hereinafter “MPEP”) §2143)

The examiner has failed to satisfy prongs 1 and 3 of the test. For example, with regard to the third prong of the test, the cited sections of Joao clearly do not teach or suggest the invention in the claims. More specifically, Claim 1 includes limitations not taught or suggested by Joao *and which the Office Action concedes are not even mentioned in Joao*. Joao does not teach or suggest a target account identifier, receiving a list of target account identifiers of suspected accounts, nor any actions or decisions relating to target account identifiers.

There are significant claim limitations that are clearly missing from Joao. With respect to these limitations, the Final Office Action states:

Joao et al. do not explicitly mention a means for periodically receiving a target account identifier of a suspect account, and a means for comparing the target account identifier with the transaction information to determine if the target account identifier matches any of the account identifiers of the transaction information. However, Joao et al. teaches a compute system having a processor processes accounts for any of the various banks and/or financial institutions which issue and/or manage credit cards, charge cards, debit cards, and/or currency or “smart card” and/or process or manage these accounts (column 4, lines 23-31). The central processor of which is programmable and/or which may provide for pre-programmed and/or pre-specified (col. 11, lines 53-58) (e.g. targeted accounts) so as to limit and/or restrict the amounts and/or types of the transactions (col. 7, lines 49-53). Further, Joao et al. teach a system includes a means for generating a real time notification (col. 8, line 61). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to realize that the system, as taught by Joao et al., **is capable of having means for receiving the target account identifier is a suspect account and comparing the target account identifier with the transaction information to determine if the target account identifier matches any of the account identifiers of the transaction information so that to authorize or cancel the transactions.** Furthermore, it would have been obvious to one skilled artisan to modify the current system to have the financial transaction information received at the computer system immediately after or while the transactions occur so as to compare the financial transactions of a plurality of the associated account identifiers of which are different from the target account identifiers.

(Final Office Action, pp. 2-3, emphasis added)

Even if the assertion in the Final Office Action that the invention taught by Joao is “capable of having” the missing limitations is true, this assertion amounts to impermissible hindsight reconstruction for which the Examiner has not cited any suggestion or motivation in the prior art that one would desire to do so. Further, this line of reasoning appears to be a misapplication of the doctrine of inherency, which requires undisclosed elements to be *necessarily* present (*i.e.*, not merely “capable” of being present) in the prior art teaching for the

reference to be cited against the claimed element (MPEP §2112). Absent some specific teaching or suggestion in Joao regarding these limitations, Claim 1, as well as claims 3 and 7-12, which depend from Claim 1, are allowable, since the Final Office Action has failed to set forth a *prima facie* showing of obviousness.

Because the sole cited reference does not teach all the limitations of Claims 1, 3, and 7-12, the Appellants have assumed the Examiner to be relying on “Official Notice” to supply the missing limitations. The Appellants note that,

[t]he examiner may take official notice of facts outside the record which are capable of instant and unquestionable demonstration as being well-known in the art. ... If justified, the examiner should not be obliged to spend time to produce documentary proof. If the knowledge is of such notorious character that official notice can be taken, it is sufficient so to state. ... If the applicant traverses such an assertion the examiner should cite a reference in support of his or her position.

When a rejection is based on facts within the personal knowledge of the examiner, the data should be stated as specifically as possible, and the facts **must be supported, when called for by the applicant, by an affidavit** from the examiner.

(MPEP §2144.03, emphasis added) The Appellants have responded to these rejections by traversing this apparent Official Notice and requesting either an express showing of documentary proof or an affidavit specifically stating facts within the personal knowledge of the Examiner, as required by 37 CFR § 1.104(d)(2). Neither, however, have been forthcoming.

Further, with respect to the first prong of the test for *prima facie* obviousness, the Examiner has not cited a reference or a teaching that is generally known in the art for the asserted motivation or suggestion to modify Joao or combine the teachings of Joao with the apparent Official Notice to achieve the Appellants’ claimed invention. Apparently, the Examiner is relying on Official Notice to provide such motivation. The Appellants have responded to these rejections also by traversing this apparent Official Notice and requesting either an express showing of documentary proof or an affidavit specifically stating facts within the personal knowledge of the Examiner, as required by 37 CFR § 1.104(d)(2), to satisfy the first prong of the test. Again, neither have been forthcoming.

Group II – Obviousness rejection of claim 2

In addition to the limitations set forth above with respect to the Group I claims, Claim 2 includes a limitation relating to the alert being transmitted to a provider of the target account identifier. This limitation is not taught or suggested by Joao. In the Final Office Action, the Examiner agrees and states that Joao fails to mention an electronic notification sent to a provider of the target account identifier. However, the Examiner fails to provide a reference with such a teaching. Thus, Claim 2 is believed to be allowable for this additional reason.

Group III – Obviousness rejection of claim 4

In addition to the limitations set forth above with respect to the Group I claims, Claim 4 includes a limitation relating to the alert being transmitted to a designee of the provider of the target account identifier. This limitation is not taught or suggested by Joao. In the Final Office Action, the Examiner agrees and states that Joao fails to mention an electronic notification sent to a designee of the provider of the target account identifier. However, the Examiner fails to provide a reference with such a teaching. Thus, Claim 4 is believed to be allowable for this additional reason.

Group IV – Obviousness rejection of claims 5 and 6

In addition to the limitations set forth above with respect to the Group I claims, the claims of this group include limitations relating to the alert being transmitted to a compiler of marketing information. These limitations are not taught or suggested by Joao. In the Final Office Action, the Examiner simply states “it would have been obvious to generate a notification to any means relating to the account identifiers i.e., a compiler of marketing information and etc.” However, no reference or other support is given by the Examiner. Thus, Claims 5 and 6 are believed to be allowable for this additional reason.

Group V – Obviousness rejection of claims 13, 19-26, 28, 30, 31, and 37-47

In addition to the limitations set forth above with respect to the Group I claims, the claims of this group include limitations relating to the interaction between a processing server and one or more platform servers. Specifically, the independent claims of this group (13, 28, 31,

45, and 47) include receiving a list of target account identifiers at a platform server and transmitting the list to one or more platform servers. These limitations are not taught or suggested by Joao. In the Final Office Action, the Examiner asserts that the server (450) of Joao obviates these limitations. The Appellants disagree. The server (450) does not receive a list of target account identifiers as recited in the claims of this group. Thus, the claims of this group are believed to be allowable for this additional reason.

Group VI – Obviousness rejection of claims 14 and 32

In addition to the limitations set forth above with respect to the Group I and Group V claims, the claims of this group include limitations relating to the list of target account identifiers being an electronic file from a government and/or federal agency. This limitation is not taught or suggested by Joao. In the Final Office Action, the Examiner states that Joao fails to mention the list comprises an electronic file from a government and/or federal agency but fails to provide any reference to teach such a limitation. Thus, Claims 14 and 32 are believed to be allowable for this additional reason.

Group VII – Obviousness rejection of claims 15 and 33

In addition to the limitations set forth above with respect to the Group I and Group V claims, the claims of this group include limitations relating to the list of target account identifiers being received by the processing server at least daily. These limitations are not taught or suggested by Joao. In the Final Office Action, the Examiner states that Joao fails to mention receiving the list daily, but that the system of Joao is “capable” to have real time notification. In addition to not teaching these limitations, this reasoning also confuses receiving a list of target account identifiers with generating a notification (*i.e.*, “alert”), which are two different parts of the process. Even if Joao is capable of being modified to process daily alerts (which is not the proper standard for determining obviousness), Joao nevertheless teaches or suggests nothing relating to receiving a list of target account identifiers daily. Thus, Claims 15 and 33 are believed to be allowable for this additional reason.

Group VIII – Obviousness rejection of claims 16 and 34

In addition to the limitations set forth above with respect to the Group I and Group V claims, the claims of this group include limitations relating to the list of target account identifiers being requested by at least one platform server at least daily. These limitations are not taught or suggested by Joao. In the Final Office Action, the Examiner makes the same assertions with respect to these claims as with the Group VII claims. Thus, Claims 16 and 34 are believed to be allowable for this additional reason.

Group IX – Obviousness rejection of claims 17, 29, and 35

In addition to the limitations set forth above with respect to the Group I and Group V claims, the claims of this group include limitations relating to the target account identifier list being requested by a platform server, in some cases, in response to a notification from the processing server that the list is available. This limitation is not taught or suggested by Joao. In the Final Office Action, the Examiner agrees and states that Joao fails to mention these limitations. Thus, Claims 17, 29, and 35 are believed to be allowable for this additional reason.

Group X – Obviousness rejection of claims 18 and 36

In addition to the limitations set forth above with respect to the Group I and Group V claims, the claims of this group include limitations relating to the target account identifier list being sent from the processing server to at least one platform server upon receipt of the list by the processing server. These limitations are not taught or suggested by Joao. In the Final Office Action, the Examiner makes the same assertions with respect to these claims as with the Group IX claims. Thus, Claims 18 and 36 are believed to be allowable for this additional reason.

Group XI – Obviousness rejection of claim 27

In addition to the limitations set forth above with respect to the Group I and Group V claims, Claim 27 includes a limitation that the alert includes stored transaction data relating to the target account identifier. This limitation is not taught or suggested by Joao. In the Final Office Action, the Examiner states that the processing server (405) provides means for

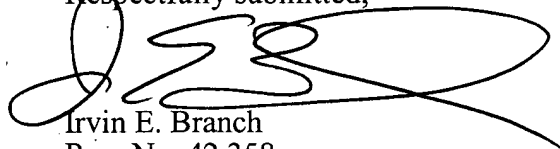
accomplishing this. The Appellants disagree. Joao teaches nothing about stored transaction information relating to a target account identifier. Thus, Claim 27 is believed to be allowable for this additional reason.

9. Conclusion

Appellants believe that the above discussion is fully responsive to all grounds of rejection set forth in the Final Office Action dated April 7, 2003. Please deduct the requisite fee, pursuant to 37 C.F.R. §1.17(c), of \$320.00 from deposit account 20-1430 and any additional fees associated that may be due in association with the filing of this Brief. This Brief is submitted in triplicate.

If for any reason the Examiner believes a telephone conference would in any way expedite resolution of the issues raised in this appeal, the Examiner is invited to telephone the undersigned attorney at (303) 571-4000.

Respectfully submitted,



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APPENDIX

The claims pending in the application are as follows:

1. (Amended) A method of using a computer to monitor financial transactions, the method comprising:
 - periodically receiving at a computer system a target account identifier of a suspect account;
 - receiving financial transaction information at the computer system, the financial transaction information including transaction records for a plurality of financial transactions that each have at least one associated account identifier, wherein the financial transaction information is received at the computer system immediately after or while the financial transactions occur, and wherein a plurality of the associated account identifiers are different from the target account identifiers;
 - at the computer system, comparing the target account identifier with the transaction information as the financial transaction information is received at the computer system to determine if the target account identifier matches any of the account identifiers of the transaction information;
 - upon the occurrence of a match, generating an alert having at least a portion of the transaction record that has an account identifier matching the target account identifier; and
 - transmitting the alert to a recipient.
2. (Amended) The method as in claim 1, wherein the recipient comprises a provider of the target account identifier.
3. (Amended) The method as in claim 1, wherein the recipient comprises an owner of the suspect account.
4. (Amended) The method as in claim 1, wherein the recipient comprises a designee of a provider of the target account.

5. (Amended) The method as in claim 1, wherein the recipient comprises a compiler of marketing information relating to the account.

6. (As Filed) The method of claim 5, wherein the marketing information includes the spending habits of a user of the suspect account.

7. (As Filed) The method as in claim 1, wherein the target account identifier comprises a suspect credit card number.

8. (As Filed) The method as in claim 1, wherein the transaction records further include transaction location, data of transaction, time of transaction and account holder name.

9. (Amended) The method as in claim 1, wherein the comparing and transmitting steps are performed within 15 minutes from the time that a transaction record having an account identifier matching the target account identifier is received.

10. (Amended) The method as in claim 1, wherein the comparing and transmitting steps are performed within 5 minutes from the time that a transaction record having an account identifier matching the target account identifier is received.

11. (Amended) The method as in claim 1, wherein the comparing and transmitting steps are performed within 1 minute from the time that a transaction record having an account identifier matching the target account identifier is received.

12. (As Filed) The method as in claim 1, wherein generating the alert includes processing electronic data into an electronic textual message representing at least a portion of the content of the electronic data.

13. (Amended) A method of monitoring financial transactions, comprising:
at a processing server, periodically receiving a list having a plurality of target account identifiers;

periodically transmitting at least a portion of the list to one or more platform servers, wherein the one or more platform servers are each configured to receive transaction information while the transactions are occurring in order to process associated financial transactions, the transaction information including transaction records of the financial transactions, the transaction records including associated account identifiers used in the transactions, wherein a plurality of the associated account identifiers are different from the target account identifiers, and wherein the one or more platform servers are configured to search the transaction information as the transaction information is received at the one or more platform servers for transaction records having a target account identifier from the list;

at the processing server, receiving from one of the platform servers an alert that the platform server has identified a transaction record having one of the target account identifiers, the alert including transaction data from the transaction record; and

transmitting from the processing server a notification based on the alert that the target account identifier has been identified in a transaction record.

14. (As Filed) The method of claim 13, wherein the list comprises an electronic file from a government agency.

15. (As Filed) The method of claim 13, wherein the list is received by the processing server at least daily.

16. (As Filed) The method of claim 13, wherein the list is requested by at least one platform server at least daily.

17. (As Filed) The method of claim 13, further comprising, upon receipt of the list at the processing server, transmitting from the processing server a list available message to at least one platform server indicating that the processing server has received the list, in response to which at least one platform server transmits a request to the processing server to send the list.

18. (As Filed) The method of claim 13, further comprising transmitting the list from the processing server to at least one platform computer upon receipt of the list by the processing server.

19. (As Filed) The method of claim 13, wherein the notification is transmitted by email.

20. (As Filed) The method of claim 13, wherein the notification is transmitted to a personal computer.

21. (As Filed) The method of claim 20, wherein the personal computer is selected from the group consisting of mobile phone, personal pager, and personal digital assistant.

22. (Amended) The method of claim 13, wherein the notification is transmitted within 15 minutes from the time that the alert is received.

23. (Amended) The method of claim 13, wherein the notification is transmitted within 5 minutes from the time that the alert is received.

24. (Amended) The method of claim 13, wherein the notification is transmitted within 1 minutes from the time that the alert is received.

25. (As Filed) The method of claim 13, wherein the transaction record includes, date of usage, time of usage and location of usage.

26. (As Filed) The method of claim 13, wherein the notification includes the account identifier, the data the identifier was used, the time the account identifier was used, and the address where the account identifier was used.

27. (As Filed) The method of claim 13, further comprising processing the alert at the processing server by combining transaction data from the alert with stored transaction

data relating to the target account identifier, and wherein the notification is based on the alert and the stored transaction data.

28. (Amended) A method of monitoring financial transactions, comprising:
receiving from a processing server a list having at least a target account identifier;
receiving transaction information at the platform computer, the transaction
information including transaction records of financial transactions, the transaction records
including associated account identifiers used in the transactions, wherein the transaction
information is received at the platform computer as associated transactions are being performed
in order to approve the transactions, and wherein a plurality of the associated account identifiers
are different from the target account identifiers;

searching the transaction information as the transaction information is received at
the platform computer for transaction records having target account identifiers from the list;
upon the occurrence of a match, generating an alert having at least a portion of the
transaction record that has an account identifier matching a target account identifier; and
transmitting the alert to the processing server.

29. (As Filed) The method of claim 28, further comprising requesting the
list from the processing server.

30. (As Filed) The method as in claim 28, wherein generating the alert
includes processing electronic data into an electronic textual message representing at least a
portion of the content of the electronic data.

31. (Amended) A system for monitoring financial transactions, comprising:
a processing server; and
at least one platform server in electronic communication with the processing
server;

wherein the processing server is configured to receive a list of target account
identifiers and transmit the list to the at least one platform server, wherein the at least one

platform server is configured to receive the list of target account identifiers, wherein the at least one platform server is further configured to receive transaction information, including transaction records of financial transactions having associated account identifiers used in the transactions in order to approve the transactions, wherein a plurality of the associated account identifiers are different from the target account identifiers; wherein the at least one platform server is further configured to compare the associated account identifiers in the transaction records to target account identifiers on the list, wherein, upon the occurrence of a match between one of the target account identifiers and one of the account identifiers in one of the transaction records, the at least one platform server is configured to produce an alert and transmit the alert to the processing server, wherein the processing server is configured to produce a notification based on the alert and transmit the notification to a personal computer.

32. (As Filed) The system of claim 31, wherein the list comprises an electronic file from a federal agency.

33. (As Filed) The system of claim 31, wherein the list is received by the processing server at least daily.

34. (As Filed) The system of claim 31, wherein the list is requested by at least one platform server at least daily.

35. (As Filed) The system of claim 31, further comprising, upon receipt of the list at the processing server, transmitting from the processing server a list available message to at least one platform server indicating that the processing server has received a list, in response to which the at least one platform server transmits a request to the processing server to send the list.

36. (As Filed) The system of claim 31, further comprising transmitting the list from the processing server to at least one platform server upon receipt of the list by the processing server.

37. (As Filed) The system of claim 31, wherein the notification is transmitted by email.

38. (As Filed) The system of claim 31, wherein the notification is transmitted to a personal computer.

39. (As Filed) The system of claim 31, wherein the personal computer is selected from the group consisting of mobile phone, personal pager, and personal digital assistant.

40. (Amended) The system of claim 31, wherein the notification is transmitted from the processing server within 15 minutes from the time the processing server receives the alert.

41. (Amended) The system of claim 31, wherein the notification is transmitted from the processing server within 5 minutes from the time the processing server receives the alert.

42. (Amended) The system of claim 31, wherein the notification is transmitted from the processing server within 1 minutes from the time the processing server receives the alert.

43. (As Filed) The system of claim 31, wherein the transaction record includes, date of usage, time of usage and location of usage.

44. (As Filed) The system of claim 31, wherein the notification includes the account identifier, the data the identifier was used, the time the account identifier was used, and the address where the account identifier was used.

45. (Amended) A system for monitoring financial transactions, comprising:
a processing server; and

a communications arrangement associated with the processing server, the communications arrangement being configured to facilitate electronic communication between the processing server and at least a platform server;

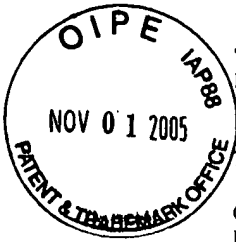
wherein the processing server is configured to receive a list of target account identifiers and transmit the list to a platform server, wherein a platform server is configured to receive the list of target account identifiers, wherein the platform server is further configured to receive transaction information as transactions are being processed, including transaction records of financial transactions having account identifiers used in the transactions, wherein a plurality of the account identifiers used in the transactions are different from the account identifiers, wherein the platform server is further configured to compare the account identifiers in the transaction records to target account identifiers on the list, wherein, upon the occurrence of a match between one of the target account identifiers and one of the account identifiers in one of the transaction records, the platform server is configured to produce an alert and transmit the alert to the processing server, wherein the processing server is configured to produce a notification based on the alert and transmit the notification to a computer.

46. (As Filed) The system of claim 45, wherein the personal computer is selected from the group consisting of mobile phone, personal pager, and personal digital assistant.

47. (Amended) A system for monitoring financial transactions, comprising:
a platform server; and
a communications arrangement associated with the platform server, the communications arrangement being configured to facilitate electronic communication between the platform server and a processing server;

wherein the processing server is configured to receive a list of target account identifiers and transmit the list to the platform server, wherein the platform server is configured to receive the list of target account identifiers, wherein the platform server is further configured to receive transaction information as transactions are occurring in order to approve the transactions, including transaction records of financial transactions having account identifiers

used in the transactions, wherein a plurality of the account identifiers used in the transactions are different from the target account identifiers, wherein the platform server is further configured to compare the account identifiers in the transaction records to target account identifiers on the list as the transaction records are received, wherein, upon the occurrence of a match between one of the target account identifier and one of the account identifiers in one of the transaction records, the platform server is configured to produce an alert and transmit the alert to the processing server, wherein the processing server is configured to produce a notification based on the alert and transmit the notification to a computer



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By: Aurora Lowell
Aurora Lowell

PATENT
Docket No.: 020375-008900US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Philip T. Mellinger, et al.

Application No.: 10/091,001

Filed: March 4, 2002

For: CREDIT CARD TRANSACTION
TRACKING SYSTEMS AND
METHODS

Examiner: Frantzy Poinvil

Art Unit: 3628

COMMUNICATION

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Sir:

With this Communication, Attorneys for the Applicants are submitting a corrected Appeal Brief in response to a Notice of Non-Compliant Appeal Brief mailed on 10/24/2005. The introductory sentence of the Brief referred to the wrong date on which the Notice of Appeal was filed. That date has been corrected. No other changes have been made.

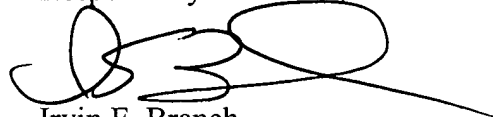
Note that the Notice was issued two years after the Brief was filed. In light of this and the trivial nature of the error, the Applicants opposed the Examiner's initial assertion that the corrected Brief should be filed under the new Appeal Brief rules. After consulting with his supervisor, the Examiner agreed that the Brief would be acceptable under the old Appeal Brief rules that were in place when the Brief was filed. The Applicants thank the Examiner for taking the time to look into this matter in greater detail.

Philip T. Mellinger, et al.
Application No.: 10/091,001
Page 2

PATENT

Nevertheless, the Applicant's Appeal Brief was not entered for two years. This is an undue delay not caused by the Applicants. The Applicants would appreciate any effort to expeditiously advance this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Irvin E. Branch', written over a horizontal line.

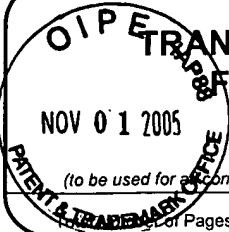
Irvin E. Branch
Reg. No. 42,358

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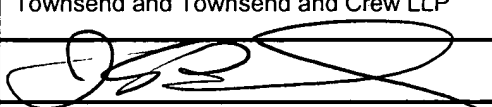
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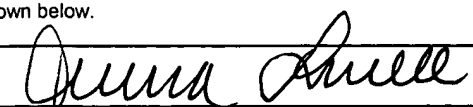
	Application Number	10/091,001
	Filing Date	March 4, 2002
	First Named Inventor	Mellinger, Philip T.
	Art Unit	3628
	Examiner Name	Frantzy Poinvil
	Attorney Docket Number	020375-008900US
Number of Pages in This Submission		22

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) ...
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return Postcard Communication
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Corrected Appellant Brief Under 37 CFR § 1.192
	<input type="checkbox"/> Landscape Table on CD	
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<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Irvin E. Branch		
Date	November 1, 2005	Reg. No.	42,358

CERTIFICATE OF TRANSMISSION/MAILING

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I hereby certify that this correspondence is being deposited with the United States Postal Service with "Express Mail Post Office to Address" service under 37 CFR 1.10 on this date November 1, 2005 and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
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Typed or printed name	Aurora Lowell	Date	November 1, 2005